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Grant A. Johnson
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OFFICE OF PETITIONS

In re Application of :
Brian John Cragun, et. al. :
Application No. 10/050,385 : DECISION ON PETITION
Filed: January 16, 2002 :
Attorney Docket No. ROC920010255US1 :

This is a decision on the petition under 37 CFR 1.137(b), filed November 15, 2007, to revive the above-identified application.

In accordance with 37 CFR 1.34(a), the signature of Daniel Fishman appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts.

The application became abandoned for failure to file a timely reply to the Notice of Allowance and Fee(s) Due/Notice of Allowability mailed on June 15, 2007. A Notice of Abandonment was mailed on October 11, 2007.

The petition is **dismissed**.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(c) and (d). The instant petition lacks item(s) (1).

The Office acknowledges receipt of \$1,540 for treatment of the instant petition, \$1,440 for payment of the issue fee and \$300 for payment of the publication fee submitted on November 15, 2007. However, the Notice of Allowability mailed on June 15, 2007 required petitioner to file corrected drawings including any changes required by the Examiner's amendment/comment or in the Office action of January 25, 2007. Therefore, Petitioner must provide corrected drawings before revival can occur.

The Power of Attorney and Correspondence Address Indication Form filed on November 15, 2007 has not been accepted. The assignment recorded at reel/frame 019649/0875 shows that International Business Machines Corporation and IBM Printing Systems, Inc. both assigned rights to Infoprint Solutions Company, LLC. However, the Statement under 37 CFR 3.73(b) only shows that International Business Machines assigned rights to IBM Printing Systems, Inc. Additionally, petitioner must show how IBM Printing Systems, Inc. became involved in the application, by providing a proper chain of title between International Business Machines and IBM Printing Systems, Inc.

A courtesy copy of this decision is being mailed to petitioner. Nevertheless, all future correspondence will be mailed to the address of record until otherwise instructed.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) is permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

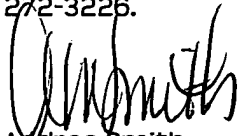
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
 Commissioner for Patents
 P. O. Box 1450
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By hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is **(571) 273-8300**.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.



Andrea Smith
Petitions Examiner
Office of Petitions

cc: Daniel Fishman
 1526 Spruce Street, Suite 302
 Boulder, CO 80302